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34/21. Human rights of migrants: mandate of the Special Rapporteur on the human rights of migrants

The Human Rights Council,

Reaffirming the Universal Declaration of Human Rights, which proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, in particular as to race, colour, sex, religion or national origin,

Recalling all international norms and standards relevant to the human rights of migrants,

Recalling also Commission on Human Rights resolutions 1999/44 of 27 April 1999, 2002/62 of 25 April 2002 and 2005/47 of 19 April 2005, General Assembly and Human Rights Council resolutions on the human rights of migrants, and Council resolutions 8/10 of 18 June 2008, 17/12 of 17 June 2011 and 26/19 of 26 June 2014 entitled "Human rights of migrants: mandate of the Special Rapporteur on the human rights of migrants",

Bearing in mind paragraph 6 of General Assembly resolution 60/251 of 15 March 2006,

Recalling its resolutions 5/1, on the institution-building of the Human Rights Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

Resolved to ensure respect for the human rights and fundamental freedoms of all migrants,

1. *Decides* to extend for a period of three years, effective from the end of its thirty-fifth session, the mandate of the Special Rapporteur on the human rights of migrants, with the following functions:

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(*a*) To examine ways and means to overcome the obstacles existing to the full and effective protection of the human rights of migrants, recognizing the particular vulnerability of women, children and those undocumented or in an irregular situation;

(*b*) To request and receive information from all relevant sources, including migrants themselves, on violations of the human rights of migrants and their families;

(*c*) To formulate appropriate recommendations to prevent and remedy violations of the human rights of migrants, wherever they may occur;

(*d*) To promote the effective application of relevant international norms and standards on the issue;

(*e*) To recommend actions and measures applicable at the national, regional and international levels to eliminate violations of the human rights of migrants;

(*f*) To take into account a gender perspective when requesting and analysing information, and to give special attention to the occurrence of multiple forms of discrimination and violence against migrant women;

(*g*) To give particular emphasis to recommendations on practical solutions with regard to the implementation of the rights relevant to the mandate, including by identifying best practices and concrete areas and means for international cooperation;

(*h*) To report regularly to the Human Rights Council, according to its annual programme of work, and to the General Assembly, bearing in mind the utility of maximizing the benefits of the reporting process;

2. *Requests* the Special Rapporteur, in carrying out the mandate, to take into consideration relevant human rights instruments of the United Nations to promote and protect the human rights of migrants;

3. *Also requests* the Special Rapporteur, in carrying out the mandate, to request, receive and exchange information on violations of the human rights of migrants from Governments, treaty bodies, specialized agencies, special rapporteurs for various human rights questions and from intergovernmental organizations, other competent organizations of the United Nations system and non-governmental organizations, including migrants' organizations, and to respond effectively to such information;

4. *Further requests* the Special Rapporteur, as part of his or her activities, to continue his or her programme of visits, which contribute to improving the protection afforded to the human rights of migrants and to the broad and full implementation of all aspects of the mandate;

5. *Requests* the Special Rapporteur, in carrying out the mandate, to take into account bilateral, regional and international initiatives that address issues relating to the effective protection of human rights of migrants, including the return and reintegration of migrants who are undocumented or in an irregular situation;

6. *Encourages* Governments to give serious consideration to inviting the Special Rapporteur to visit their countries so as to enable him or her to fulfil the mandate effectively;

7. *Also encourages* Governments to cooperate fully with the Special Rapporteur in the performance of the tasks and duties mandated, to furnish all information requested, to consider the implementation of the recommendations contained in the reports of the Special Rapporteur, and to react promptly to his or her urgent appeals;

8. *Requests* all relevant mechanisms to cooperate with the Special Rapporteur;

9. *Requests* the Secretary-General to give the Special Rapporteur all the human and financial assistance necessary for the fulfilment of the mandate.

57th meeting
24 March 2017

[Adopted without a vote.]